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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

CRAIG CUNNINGHAM,

Plaintiff,

v.

PERFORMANCE SLC LLC,
PERFORMANCE SETTLEMENT
LLC, DANIEL J. CRENSHAW, and
DOES 1-10,

Defendants.

Case No. 8:18-cv-01093-AG-AGR

Plaintiff's Sworn Declaration

1. My name is Craig Cunningham, and I am over the age of 18 and have never been convicted of a felony or crime of moral turpitude. I am writing this affidavit in support of the Plaintiff's opposition to the Defendant's motion for summary judgment. I am a 2003 West Point graduate where I majored in economics and lettered all 4 years as a football player. I also earned a dual master's degree in Finance and MBA with a focus in supply chain from

Northeastern University.

2. No court in the United States has ever declared me to be a vexatious litigant.

3. I requested a copy of the Defendant's internal Do not call policy on June 20th 2018 by calling 877-511-4877 via 615-348-1977.

4. Despite requesting a copy of the Defendants' written internal do-not-call policy, none was ever provided.

5. During the call with the Defendants', I provided my email address of bigcraig79@hotmail.com so they could email me a copy of their internal do-not-call policy, and despite this no policy was provided.

6. I never gave permission to any of the defendants to call me using an automated telephone dialing system or pre-recorded message.

7. I never gave any 3rd party telemarketer consent to call me using an automated telephone dialing system or pre-recorded message.

8. I never gave Powers Marketing Group consent to call using an automated telephone dialing system or pre-recorded message.

9. I never provided my cell phone number of 615-212-9191 to the defendants. They already had my phone number as indicated by the fact that they were calling me.

10. At no time did any agent or 3rd party calling on behalf of the defendants calling on behalf of the defendants state that they were seeking permission to call 615-212-9191 using an automated telephone dialing system or pre-recorded message.

11. I do not "farm" for telemarketing calls or do any action to invite telemarketing calls.

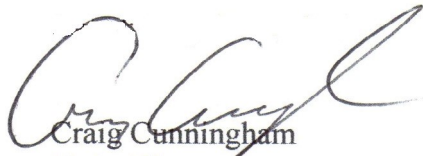
12. I conducted an inquiry and investigation into the entity that was continually calling my cell phone trying to solicit me to purchase student loan consolidation services through the

defendants and these agents used a variety of false and confusing business names, which required further investigation to positively identify what legal entity was actually calling.

Verification

13. I declare under the penalty of Perjury that the foregoing is true and correct.

Executed on 8/19/2019.



Craig Cunningham

CERTIFICATE OF SERVICE

United States District Court CM/ECF system

Notification sent electronically on this 18th day of August, 2019, to:

Honorable Judge Andrew Guilford
United States District Court
Central District of California

All Counsel of Record on the ECF

s/Adrian R. Bacon

Adrian R. Bacon, Esq.